

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**URGENT MOTION OF THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR ENTRY OF STIPULATED PROTECTIVE ORDER**

To the Honorable United States Magistrate Judge Judith G. Dein:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole representative of the Commonwealth of Puerto Rico (the “Commonwealth”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² hereby submits this urgent motion (the “Urgent Motion”) requesting the entry of a stipulated protective order, attached hereto as **Exhibit 1** (the “Stipulated Protective Order”), limiting the use and disposition of the information and documents produced in connection with the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Building Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA has been codified in 48 U.S.C. §§ 2101–2241.

resolution of certain disputes. In support of this Urgent Motion, the Oversight Board respectfully states as follows:

Request for Relief

1. The Oversight Board; the Commonwealth; and Corporacion de Servicios de Salud y Medicina Avanzada (“COSSMA,” and together with the Oversight Board and the Commonwealth, the “Parties”) agree that the Stipulated Protective Order is necessary to preserve and maintain the confidentiality of documents and information that may constitute, contain, or relate to (i) protected health information and individually identifiable health information protected from unauthorized disclosure under federal, state, or local privacy laws, or other applicable personal data protection laws or regulations, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d *et seq.*) and the privacy regulations promulgated thereunder, and/or the Puerto Rico Patient’s Bill of Rights and Responsibilities of 2000, Act No. 194-2000, (P.R. Laws ann. tit. 3, § 3041 *et seq.*), the Puerto Rico Mental Health Code of 2000, Act No. 408-2000, (P.R. Laws ann. tit. 24, § 6152 *et seq.*), (ii) other personal identifying information; and/or (iii) other similar confidential, proprietary, or private information belonging to the Parties and/or their agents, employees, representatives, clients, and/or patients.

2. The Oversight Board submits that the request made herein is reasonable in light of the circumstances described above.

3. All Parties have reviewed and approved of the Stipulated Protective Order and consent to the filing of this Urgent Motion.

4. The Oversight Board therefore moves this Court for entry of the Stipulated Protective Order.

5. Finally, no prior request for the relief sought in this Urgent Motion has been made to this or any other court.

Certification in Compliance with the Fourteenth Amended Case Management Procedures and Local Rule 9013-1

6. Pursuant to Local Rule 9013-1 and paragraph I.H of the Fourteenth Amended Case Management Procedures, the Oversight Board hereby certifies that it has (a) carefully examined the matter and concluded that there is a need for an urgent motion; (b) not created the urgency through any lack of due diligence; (c) made a bona fide effort to resolve the matter; (d) made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court; and (e) counsel for all Parties have conferred and the Parties have agreed to the Stipulated Protective Order as requested herein.

Notice

7. The Oversight Board has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) counsel to the statutory committees appointed in these Title III cases; (c) the Office of the United States Attorney for the District of Puerto Rico; (d) the Puerto Rico Department of Justice; (e) all parties filing a notice of appearance in these Title III cases; and (f) movants. A copy of the motion is also available on the Oversight Board's case website at <https://cases.primeclerk.com/puertorico/>.

8. The Oversight Board submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, the Oversight Board respectfully requests that the Court enter the Stipulated Protective Order and grant such other relief as is just and proper.

Dated: March 17, 2021

San Juan, Puerto Rico

Respectfully submitted,

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